

**ZONING BOARD OF APPEALS
TOWN OF BLOOMFIELD
REGULAR MEETING
September 9, 2013**

I. CALL TO ORDER

Chairman Jacqueline Isaacson called the regular meeting of the Zoning Board of Appeals to order at 7:32 P. M. in Conference Room #5 at Bloomfield Town Hall. The following members were also present: Tara Baldwin, Suzanne Caron, Toby Neuwirth, Bill Starkie, and Lucille Wactowski. Fannie Pittman was absent. Also present were Michael Kosilla, Zoning Compliance Officer; Lisa Gray, Commission Clerk; and other interested parties.

II. NOTICE OF MEETING

Chairman Jacqueline Isaacson read the Meeting Notice.

III. PUBLIC HEARINGS

A. Request by Bank of America for a Use Variance for a drive-up kiosk, located at 1051 Blue Hills Avenue, GWB Zone.

Tim Ponton, Owner, Stonefield Engineering, explained that his client, Bank of America is proposing construction of a drive-up ATM in the existing parking lot on this property. He noted that a walk-up ATM would be allowed by the regulations and would not require a variance, but a drive-up window is preferred to maintain compatibility with the residential neighborhood and customer safety. He further stated that the expectation is that one to two cars per hour will visit the ATM on a daily basis, except on peak days, Friday and Saturday, when three to five cars per hour may visit.

Mr. Starkie asked how close the nearest B of A ATM is currently located. Mr. Ponton replied that it is approximately 2½ miles away.

Chairman Isaacson read a letter from the Town Planning and Zoning Commission expressing their opinion in opposition to approval of the variance.

Chairman Isaacson asked Mr. Ponton what he sees as the hardship in this case. He responded that the hardship is the fact that drive-in windows are not permitted by the town regulations.

Mr. Ponton commented that it seems the intent of the ordinance is to address drive-in windows proposed as an accessory use to a building, but this would be only a drive-up that is not an accessory to a business.

Ms. Neuwirth noted that it appears that one corner of the building will be constructed over an underground drainage pipe and she expressed concern over any possible damage that may occur to the pipe as a result of the construction. Mr. Ponton assured the Board that modern construction practices will ensure that no damage will be done to the pipe.

Chairman Isaacson noted that no members of the public are present to speak in favor or opposition to the variance.

Mr. Kosilla informed the Board that temporary free-standing signs and other violations remain on the property after the owners have been informed that they must be removed or remedied. Mr. Ponton responded that the Board could give approval with the condition that any existing problems be remedied.

Hearing no further comments, Chairman Isaacson closed the public hearing.

A motion was made by Mr. Starkie to approve the variance based on safety concerns. Ms. Caron seconded the motion. Mr. Starkie was in favor; all others were opposed. Motion failed.

IV. MINUTES OF JULY 1, 2013

A motion was made by Ms. Caron to approve the minutes of the July 1, 2013 meeting, as presented. Ms. Wactowski seconded the motion, and it unanimously carried.

V. ADJOURNMENT

A motion was made by Ms. Caron to adjourn the meeting at 8:25 P. M.

Fannie Pittman, Secretary